

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Saavedra et al.

Serial No. 08/837,812

Filed: April 22, 1997

Group Art Unit: 1615

Examiner: P. Kulkosky

For: Biopolymer-Bound Nitric Oxide-  
Releasing Compositions, Pharmaceutical  
Compositions Incorporating Same and  
Methods of Treating Biological Disorders  
Using Same

**RESPONSE TO RESTRICTION REQUIREMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

In response to the Office Action dated April 23, 1999, please consider the following remarks.

**REMARKS**

**The Office Action**

The Office Action sets forth a restriction requirement and a requirement for an election of species. Each requirement is traversed and discussed separately below.

**The Restriction Requirement**

The Office Action requires restriction of the prosecution to one invention as defined by the following two groups of patentably distinct claims:

Group I: claims 1, 5-15, and 19-27, drawn to nitric oxide group-containing copolymer compositions, classified in class 424, subclass 179.1, and

Group II: Claims 31-38, drawn to methods of treatment comprising the compounds of the invention set forth in the claims of Group I, classified in class 424, subclass 78.08.

In response to the restriction requirement, applicants provisionally elect with traverse the invention of Group I for further prosecution.

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For: Biopolymer-Bound Nitric Oxide-Releasing Compositions, Pharmaceutical Compositions  
Incorporating Same and Methods of Treating Biological Disorders Using Same**ASSISTANT COMMISSIONER FOR PATENTS**  
**Washington, D.C. 20231**

Sir:

Transmitted herewith is a response to an office action in the subject application.

- ☐ Small entity status of this application under 37 C.F.R. §§ 1.9 and 1.27 has been established by a verified statement previously submitted.
- ☐ A verified statement to establish small entity status under 37 C.F.R. §§ 1.9 and 1.27 is enclosed.
- ☒ Petition For Extension Of Time
- ☒ Applicant(s) petitions for a one-month extension of time under 37 C.F.R. § 1.136, the fee for which is \$110.00 (enclosed).
- ☐ Applicant(s) believes that no petition for an extension of time is necessary. However, to the extent that such petition is deemed necessary, applicant(s) hereby petition for a sufficient extension of time to render the present submission timely. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.
- ☒ No additional claim fee is required.
- ☐ Other:

The claim fee has been calculated as shown below:

					SMALL ENTITY		OTHER THAN A SMALL ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	EXTRA CLAIMS PRESENT	RATE	ADDIT. CLAIM FEE	RATE	ADDIT. CLAIM FEE
TOTAL	21	MINUS	29	=0	x 9=	\$	x 18=	\$0
INDEPENDENT	2	MINUS	3	=0	x 39=	\$	x 78=	\$0
<input type="checkbox"/>	FIRST PRESENTATION OF MULTIPLE CLAIM				+ 130=	\$	+ 260=	\$0
					TOTAL	\$	TOTAL	\$0

- ☐ Please charge my Deposit Account No. 12-1216 in the amount of \$ . A duplicate copy of this sheet is attached.
- ☒ A check in the amount of \$110.00 (extension fee) is attached.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 12-1216. A duplicate copy of this sheet is attached.
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims.
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17.

Respectfully submitted,

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By   
Bruce M. Gagala, Reg. No. 28,844  
One of the Attorneys for Applicant(s)

In re Appln. of Saavedra et al.; Serial No. 08/837,812  
Response Transmittal Form With Request for One-Month Extension of  
Time (1 p./original/1 copy)  
Response to Restriction Requirement (3 pp.)  
Check for \$110.00 (extension fee)  
Due 5/23/1999; Mailed 6/21/1999  
Case 161192  
BMG/DJS/cag

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ASSISTANT COMMISSIONER FOR PATENTS

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17/1999	161192/NIH	EXT FEE	110.00
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THE ASSISTANT COMMISSIONER FOR PATENTS  
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AUTHORIZED SIGNATURES

*[Handwritten Signature]*  
*[Handwritten Signature]*

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